

House Bill 1149

By: Representatives Knight of the 126<sup>th</sup>, Tumlin of the 38<sup>th</sup>, and Mosby of the 90<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 48-7-101 of the Official Code of Georgia Annotated, relating to  
2 withholding requirements for income tax, so as to authorize certain elections regarding lump  
3 sum distributions; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

5 Code Section 48-7-101 of the Official Code of Georgia Annotated, relating to withholding  
6 requirements for income tax, is amended by adding a new subsection to read as follows:

7 "(j)(1) The payee of any nonperiodic payment may elect to have withholding made on  
8 distributions from a pension, annuity, or similar fund. Such an election shall remain in  
9 effect until revoked by the payee.

10 (2) Upon such election by a payee as provided in paragraph (1) of this subsection, the  
11 payor of any nonperiodic payment shall withhold from such payment the amount  
12 specified by the payee, but in no event shall the amount withheld be less than the amount  
13 which would be required to be withheld if such payment were a payment of wages by an  
14 employer to an employee for the appropriate payroll period.

15 (3) The commissioner shall be authorized to prescribe forms and to promulgate rules and  
16 regulations setting forth the requirements for withholding from such nonperiodic  
17 payments and the requirements for making elections to withhold."  
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**SECTION 2.**

19 All laws and parts of laws in conflict with this Act are repealed.  
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